

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

UNITED STATES OF AMERICA,

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VS.

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RONNIE BENNETT GRISSETT and
BEULAH FROST GRISSETT d/b/a
GRISSETT GROCERY,

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DONNIE B. GRISSETT,

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INTERVENOR.

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CASE NO: 2:05-CR-150-LSC

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DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

MOTION FOR LEAVE TO INTERVENE,
RECONSIDERATION AND HEARING

Now comes Donnie B. Grissett and moves the Court for leave to intervene in this action, pursuant to FRCP 24(a)(2) and as grounds for said motion respectfully shows unto the Court as follows:

1. Petitioner, Donnie B. Grissett, is the son of Beulah Frost Grissett and the brother of Ronnie Bennett Grissett. Petitioner is the grantee along with petitioner's wife, Melissa A. Grissett, in a deed dated July 22, 2005, in which the property subject to this forfeiture was conveyed to petitioner and his wife.
2. At the time of said conveyance, state charges against the sole owner of the involved property had been dismissed and petitioner and wife had no knowledge of any federal investigation or pending federal charges against Beulah Frost Grissett.
3. Petitioner, Donnie B. Grissett, undertook to control the subject property so as to ensure

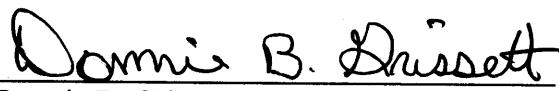
that no illegal activity would take place on said property and because, in view of his mother's age and declining physical health and the death of his father, Clyde B. Grissett. Petitioner, Donnie B. Grissett, did, in fact, take possession of the property in July, 2005 and cleaned up the premises, including prohibiting persons known or suspected to be involved in drug activity from coming on to the premises.

4. Petitioner, Donnie B. Grissett, was unaware of the recordation of a lis pendens because on July 22, 2005, petitioner knew that the property was not encumbered, was solely owned by his mother, Beulah Frost Grissett, and he therefore knew of no reason to check the recordation records in the Office of the Judge of Probate of Covington County, Alabama. (Note: Petitioner acknowledges that recordation of a Notice of Lis Pendens provides legal notice of a claim of an interest in the subject property, but sets out this paragraph in support of his good faith at the time he acquired the property.)

5. Petitioner, Donnie B. Grissett, and wife, Melissa A. Grissett, allege that they have a meritorious equitable interest in the property subject to forfeiture in this action.

Petitioner respectfully requests that his Motion for Leave to Intervene be granted, that the Court favorably consider the matters contained in this verified petition, and that the Court set a date and time for a hearing to determine petitioner and wife's interest in the real property made the basis of this action.

Respectfully submitted,



Donnie B. Grissett, Petitioner

THE POWELL LAW FIRM, P.C.

By:

Ab Powell, III

Ab Powell, III (POW017)
Post Office Drawer 969
Andalusia, Alabama 36420
(334) 222-4103

Attorney for Petitioner, Donnie B. Grissett

STATE OF ALABAMA)
)
)
COVINGTON COUNTY)

Before me, Carole Thomasson, a notary public in and for said State and County, personally appeared Donnie B. Grissett who being known to me deposes and says that he has ready the above and foregoing Petition and that the matters alleged therein are true and correct.

Sworn to and subscribed before me this 5th day of May, 2006.

Carole Thomasson
Notary Public

My Commission Expires: June 16, 2006

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the above and foregoing on all counsel of record for the parties by placing a copy of same in the United States mail, postage prepaid and addressed to their regular mailing address, as follows:

Honorable Louis V. Franklin
Criminal Chief
Post Office Box 197
Montgomery, Alabama 36101

Honorable Tommie Brown Hardwick
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101

Honorable John Harmon
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101

Done this 25 day of May, 2006.

St. Louis III
Of Counsel